

OFFICE OF  
COMMISSIONERS OF MIAMI COUNTY

Sanitary Engineering Department  
2200 N County Rd 25-A • Troy, Ohio 45373  
(937) 440-5653 • Fax (937) 335-4208

Ms. Sharon Jaffess, Chief  
Enforcement & Compliance Assurance Branch  
USEPA Region 5  
77 West Jackson Boulevard  
Chicago, IL 60604-3590



RE: Request for Information Pursuant to Section 104(e) of CERCLA  
West Troy Contaminated Aquifer Site, Troy, Ohio  
CERCLIS ID No. OHN000508132

Dear Ms. Jaffess,

Miami County Sanitary Engineering Department hereby responds to the request of the United States Environmental Protection Agency (U.S. EPA) for information and documents relating to volatile organic compound (VOC) contamination identified at the West Troy Contaminated Aquifer Site located in Troy, Ohio. The request was directed to the "Facilities Director" for Miami County via a letter dated October 30, 2012 and received by officials of Miami County on October 31, 2012.

Miami County specifically denies any liability or wrongdoing that may be alleged of the ongoing investigation of this matter pertaining to the Miami County Incinerator Site, or any contribution to the situation which has given rise to the same. Miami County reserves the right subsequently to supplement this response as the County may obtain or become aware of additional, relevant information pertaining to this matter.

As you are aware, the Miami County Incinerator (MCI) Site was placed on the National Priorities List in 1984. Subsequent cleanup and containment of the MCI site has been ongoing, with much success. Miami County Sanitary Engineering Department provides operational and maintenance of the MCI site. The U.S. EPA has requested through this correspondence much of the documentation that has been submitted, vetted, and approved through the agency. The current Remedial Project Manager for U.S. EPA on the MCI Site is Stephanie Linebaugh. U.S. EPA currently has approximately 20 years of data from the cleanup and containment of the MCI Site. Therefore, much of the documentation requested has been omitted with answers being more generalized.

Please contact myself or Doug Evans, Assistant Sanitary Engineer, at 937-440-5653 should you have any further questions or need clarifications.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jillian A. Rhoades', with a stylized flourish at the end.

Jillian A. Rhoades, PE  
Miami County Sanitary Engineer

Cc: Miami County Commissioners  
Gary Nasal, Prosecuting Attorney  
Mark Altier, Chief Civil Prosecuting Attorney

As you are aware, the Miami County Incinerator (MCI) Site (EPA ID# OHD980611800) was placed on the National Priorities List in 1984. Subsequent cleanup and containment of the MCI site has been ongoing, with much success. The U.S. EPA has requested through this correspondence much of the documentation that has been submitted, vetted, and approved through the agency. The current Remedial Project Manager is Stephanie Linebaugh. U.S. EPA currently has approximately 20 years of data from the cleanup and containment of the MCI site. Supporting documentation and answers pertaining to the questions have been provided with this in mind.

### QUESTIONS

1. *State the dates during which you or your company have owned, operated, or leased a facility or any part thereof located within the area of interest at the Site as illustrated on the map in Enclosure 6, and provide copies of all documents evidencing or relating to such ownership, operation, or lease arrangement (e.g. including but not limited to purchase and sale agreements, deeds, or leases).*

The Miami County Incinerator facility was built in 1968 to process and dispose of municipal and industrial wastes from surrounding communities in Miami County. Combustible wastes were to be incinerated and non-combustible waste were to be landfilled. The Incinerator was converted to a Transfer Station in 1978.

Ownership documentation and legal description documentation is included in this submittal.

2. *Did you or any other person or entity ever use, purchase, store, treat, dispose, transport or otherwise handle any material containing chlorinated solvents, including but not limited to tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (DCE), and 1,1,1-trichloroethane (TCA), at a facility within the boundaries of the Site? If the answer to this question is anything but an unqualified "no," with respect to each facility identify:*

A portion of the North Landfill on the Miami County Incinerator site is known to have occupied an area where bulk quantities of liquid hazardous waste were reportedly disposed of over the history of the incinerator/landfill. Organic constituents were mainly volatile organic compounds (primarily chlorinated ethanes and ethenes, vinyl chloride, toluene, and benzene).

- 2a. *the chemical composition, characteristics, physical state (e.g., solid, liquid) of each material:*

Organic constituents were mainly volatile organic compounds (primarily chlorinated ethanes and ethenes, vinyl chloride, toluene, and benzene), but other semi volatile constituents were also observed. Inorganic contaminants observed in concentrations above background include arsenic, barium, cadmium, chromium, cobalt, copper, lead, nickel, silver, and zinc.

- 2b. *who supplied the material;*

Miami County has no knowledge of suppliers of these materials to the entities disposing of them.

- 2c. *how, when, and where the material was used, purchased, generated, stored, treated, transported, disposed of or otherwise handled;*

Miami County has no knowledge of how, when, and where the material was used, purchased, generated, treated, transported, or otherwise handled. Disposal at the Miami County Incinerator site was done by either drums or tanker vehicles.

- 2d. *the quantity of such materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled.*

Miami County has no knowledge of the quantity of materials used, purchased, generated, stored, treated, transported, disposed of or otherwise handled. Detailed records of drums or size of tanks were not kept during this time.

- 2e. *all supervisory personnel for areas where chlorinated solvents were identified above. For all persons identified, indicate the years during which they were a supervisor and, to the best of your knowledge and belief, their duties and responsibilities.*

Nick Brookhart, Miami County Sanitary Engineer 1968-1978

3. *Identify all past and present solid waste management units (e.g., waste piles, landfill, surface impoundments, waste lagoons, waste ponds or pits, tanks or container storage areas) at each facility you or your company have owned, operated, or leased within the area of interest at the Site. For each such solid waste management unit, provide the following information:*

As stated in the Remedial Investigative Report (RI) dated February 22, 1989, the site had several areas of concern during the investigation. The areas are the North Landfill, South Landfill, Liquid Disposal Area, Ash Disposal Pit, Ash Pile, Scrubber Wastewater Lagoon, and Stained Soil Area. The Ash Pile, Scrubber Wastewater Lagoon, and Stained Soil Area were all excavated and placed under the South Landfill Cap. The South Landfill Cap and North Landfill Cap were closed and capped with a clay liner cap as approved by USEPA Region V. The Ash Disposal Pit and the Liquid Disposal Area (located within North Landfill) were both covered with a clay cap along with an HDPE liner as approved by USEPA Region V. Figure 2.4 Site Vicinity Map from the RI is attached.

- 3a. *A map that shows the unit's boundaries and the location of all known solid waste management units, whether currently in operation or not.*

Figure 2.4 Site Vicinity Map is attached.

- 3b. *the type of unit (e.g., storage area, landfill, or waste pile) and the dimensions of the unit;*

The North and South Landfill are approximately 20 acres each, and the Liquid Disposal Area and Ash Pit are approximately one acre each. Other noted areas were removed and incorporated under the approved landfill closures.

- 3c. *the dates the units were in use;*

The North and South Landfill were in use from 1968 through 1978, while the Liquid Disposal Area and Ash Pit were in use from approximately 1968 through 1974.

- 3d. *the purpose and past usage of the unit (e.g., storage or spill containment)*

The landfills were used for non-combustibles; however combustibles were also disposed of within the landfills. The Liquid Disposal Area was an area where waste oils and solvents were disposed of in bulk and barrels. The Ash Pit was used as a disposal area for incinerator ash.

- 3e. *the quantity and types of materials (hazardous substances and any other chemicals) located in the unit;*

The types and quantities are specified in the RI performed by CH2MHill dated July 18, 1986 and the RI dated February 22, 1989. The information is vast and better served through the RI reports.

- 3f. *the construction (materials, composition), volume, size, dates of cleaning, and condition of the unit;*

See response 3b.

- 3g. *if unit is no longer in use, describe how was unit closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit;*

See response 3b. Concerning the Liquid Disposal Area, a soil vapor extraction system, a product well, and a well containment system were put in place during the closure of these areas.

4. *Identify all leaks, spills, or releases into the environment of any chlorinated solvents or materials containing chlorinated solvents that have occurred at or from any facility you or your company have owned, operated, or leased with the boundaries of the Site. In addition, identify:*

The Liquid Disposal Area accepted waste oil and chlorinated solvents for disposal from 1968-1974 as stated in the RI. Method of disposal was both bulk and barrel. The disposal of liquids was contained to the liquid disposal area located on the North Landfill. In the RI completed by CH2MHill it is estimated that up to several million gallons of liquids were disposed of in this area.

- 4a. *when, where, and how such leaks, spill or releases occurred;*

See response 4.

- 4b. *the amount of each leak, spill, or release;*

See response 4.

- 4c. *activities undertaken in response to each such leak, spill or release, including the notification of any agencies or governmental units;*

OEPA was aware of process prior to shutting down in 1974

- 4d. *investigations of the circumstances, nature, extent or location of each leak, spill or release, including the results of any soil, water (ground and surface), or air testing undertaken;*

OEPA and USEPA began investigations after contamination began showing up in surround drinking water wells. RI field activities began in 1984.

- 4e. *all persons with information relating to these leaks, spills or releases;*

Nick Brookhart, Miami County Sanitary Engineer 1968-1978

5. *Provide copies of all local, stat, and federal environmental permits ever granted for any facility (or any part thereof) you or your company have owned, operated, or leased within the boundaries of the Site (e.g., RCRA permits or NPDES permits).*

Due to the extent of this request, we will supplement this submittal with all permits as soon as possible. We currently have several entities that hold such permits.

6. *Identify any persons or entities, other than those responding to this information request, that may have information about the history, use, purchase, storage, treatment, disposal, transportation or handling of any materials containing chlorinated solvent at any facilities in the area of interest at the Site.*

Nick Brookhart, Miami County Sanitary Engineer 1968-1978

James A. McGarry, Miami County Sanitary Engineer 1988-2008

Wray Blattner, Attorney, Thomson Hine Dayton, Business and Industrial Environmental Committee (BIEC) Chairman.

7. *To the extent you believe that another person, including any previous property owner, is responsible for any leaks, spills or releases into the environment of any chlorinated solvents or materials containing chlorinated solvents at or from any facility you or your company have owned, operated, or leased with the area of interest at the Site, identify*

The Miami County Incinerator Site formed a Committee called the Business and Environmental Committee (BIEC) in 1984. BIEC is comprised of Potential Responsible Parties (PRP) and Miami County. Miami County represents all Municipalities and Townships within the County. The PRP group has been documented in past investigations by USEPA.

There are no previous owners of the property suspected in any spills, releases, or leaks of any materials containing chlorinated solvents.

7a. *the name and address of that person or persons;*

See response 7.

7b. *when, where, and how such leaks, spill or releases occurred*

See response 4.

7c. *the amount of each leak, spill or release;*

See response 4.

7d. *the detailed basis for your belief that each such person is responsible for leaks, spills or releases, including any transactions documents, reports, or other documentation supporting your belief.*

The documentation of the PRP group, along with Municipalities and Townships were collected through transaction receipts. It is my understanding that all of the information was archived on microfiche and given to USEPA through submittals with reports.

CONCORD TWP.

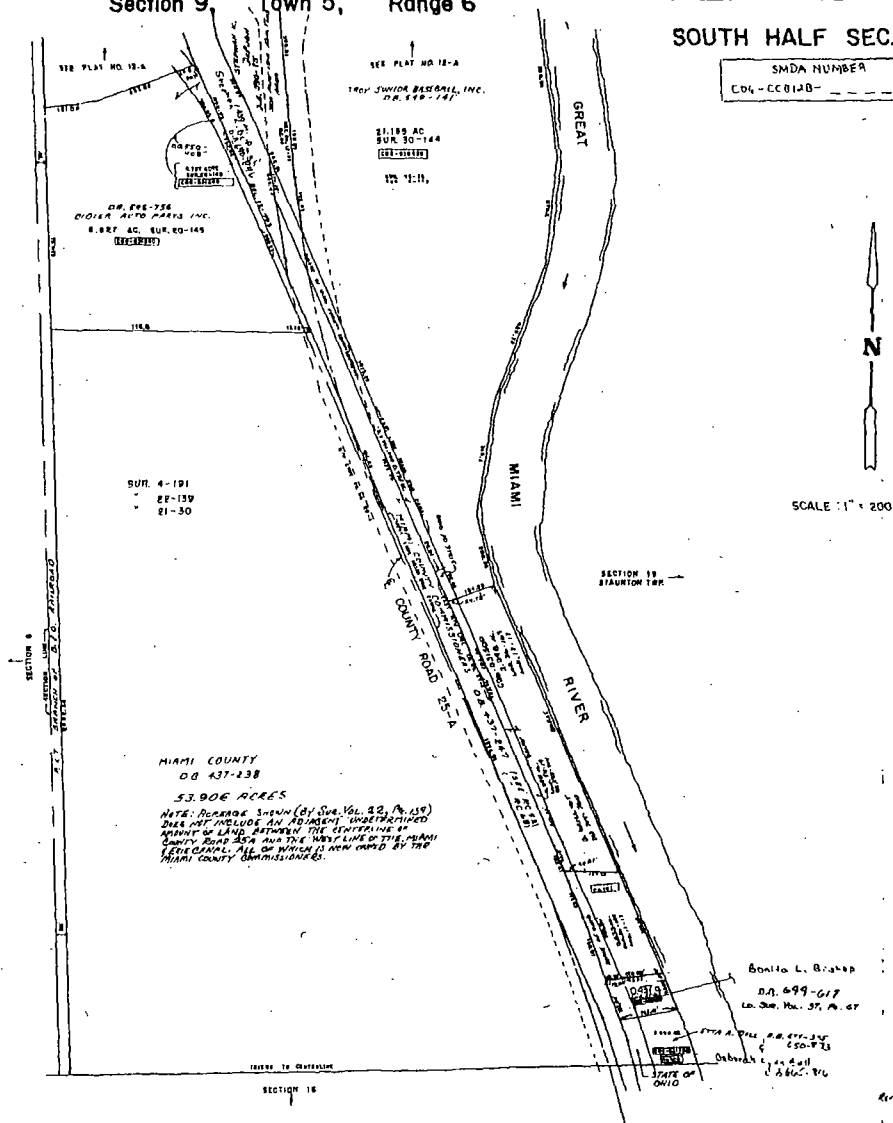
MIAMI COUNTY, OHIO  
Section 9, Town 5, Range 6

PLAT 12-B

SOUTH HALF SEC. 9

SMDA NUMBER

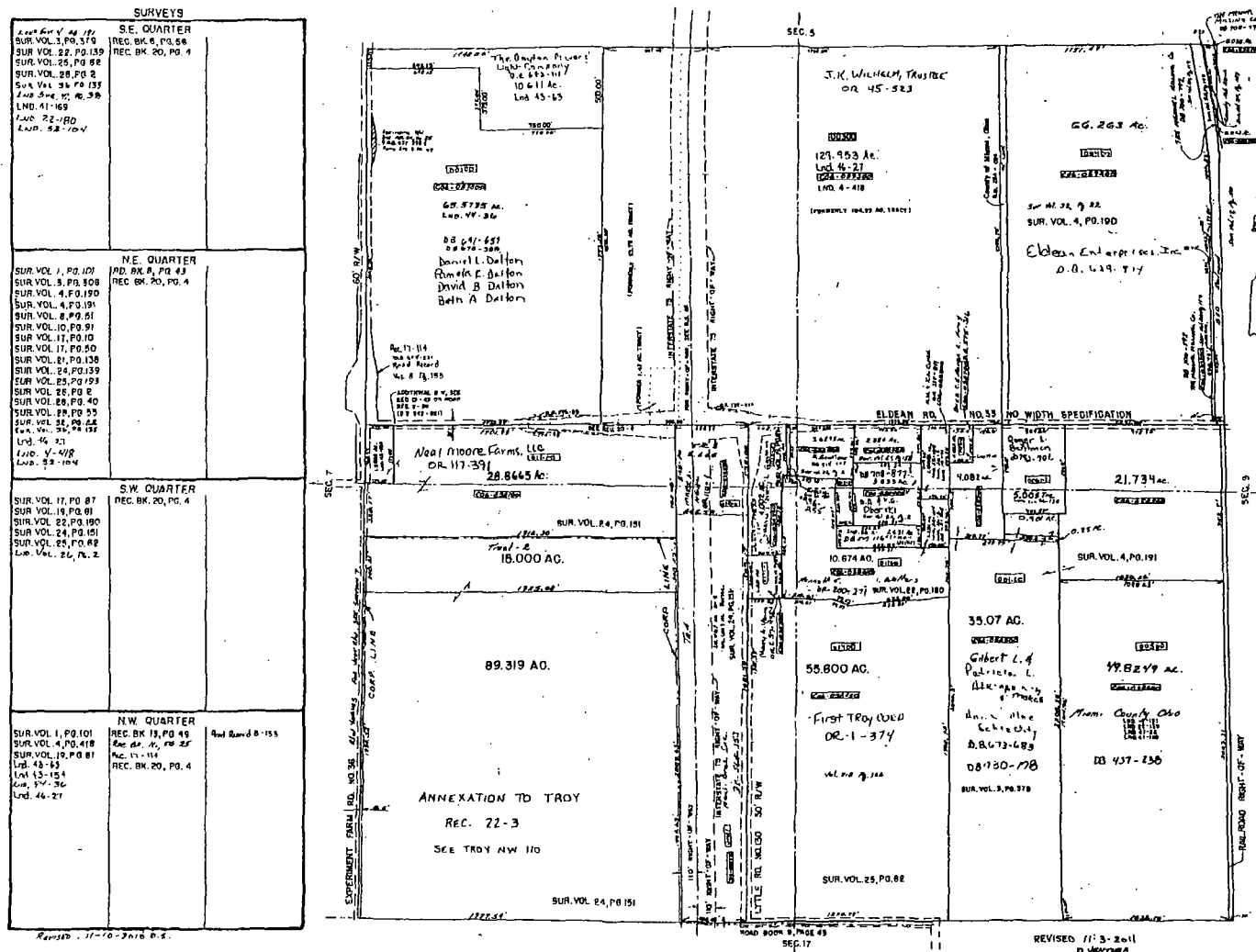
CD4 - CC012B-





PLAT II

SCALE: 1" = 400'



recorded  
revised  
Book 25 Page 411  
July 16 1993  
James J. Cain, Clerk  
K. [Signature] Deputy

143881

misc (BOOK 25 PAGE 263)

RECEIVED

DEC 18 1989

KENNETH J. MURPHY, Clerk  
DAYTON, OHIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FILED  
KIMMEL MURPHY  
DEPT  
93 APR 30 AM 10:52  
U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CIVIL ACTION NO.

GENERAL REFUSE SERVICES, INC.,  
ET AL.,

Defendants.

C-3-89-484

WALTER H. RICE

RECEIVED

MAY 26 1993

MIAMI COUNTY  
SAN. ENGR. DEPT

Miami County Commissioners

D.B. 437-238

#6

146410

Record of Decision

Site Name and Location  
Miami County Incinerator  
Troy, Ohio

Statement of Basis and Purpose

This decision document presents the selected remedial action for the Miami County Incinerator site developed in accordance with the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 and is consistent with the National Oil and Hazardous Substances Pollution Contingency Plan to the extent practicable.

This decision is based upon the contents of the administrative record for the Miami County Incinerator site.

The State of Ohio concurrence with the selected remedy is expected.

Description of the Remedy

This site has seven areas of concern. The selected remedial alternative for each of these areas is:

- A. South Landfill - closure according to State sanitary landfill requirements. Alternative A3 has been selected. The major components of the selected alternative are:
  - Fence landfill area and post warning signs
  - Deed notifications/property use restrictions to prohibit use of groundwater and prevent exposure to contaminants
  - Ongoing monitoring
  - Grade and cap landfill with single barrier cap
- B. North Landfill - closure according to State sanitary landfill requirements. Alternative B3 has been selected. The major components of the selected alternative are:
  - Fence landfill area and post warning signs
  - Deed notification/property use restrictions to prohibit use of groundwater and prevent exposure to contaminants
  - Ongoing monitoring
  - Grade and cap landfill with single barrier cap

2012

OhioEPA

2012

**Solid Waste Facility License**  
**Municipal Solid Waste Transfer Facility**

License Expires December 31, 2012

Facility: Miami County Solid Waste & Recycling Facility \* (CID:30867)  
2200 N Co Rd 25 A  
Troy, OH 45373

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

**Licensing Authority: Ohio EPA - TFL**

**Conditions of Licensure**

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734., 3767., 6111., and 3704.
2. All applicable requirements of Ohio Administrative Code Chapters 3745-27, 3745-28, 3745-29, 3745-30, 3745-31, and 3745-37.
3. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
4. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
5. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07.

The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734., 3767., 6111., or 3704. of the Ohio Revised Code, or regulations issued thereunder.

Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

\_\_\_\_\_  
Director, Ohio EPA

DEC 21 2011

Date Issued

2011



OHIO E.P.A.

DEC 22 2010 2011

**Solid Waste Facility License**  
**Municipal Solid Waste Transfer Facility**

License Expires December 31, 2011

**Facility:** Miami County Solid Waste & Recycling Facility \* (CID:30867)  
2200 N Co Rd 25 A  
Troy, OH 45373

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

**Licensing Authority: Ohio EPA - TFL**

**Conditions of Licensure**

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734., 3767., 6111., and 3704.
2. All applicable requirements of Ohio Administrative Code Chapters 3745-27, 3745-28, 3745-29, 3745-30, 3745-31, and 3745-37.
3. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
4. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
5. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07.

The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734., 3767., 6111., or 3704. of the Ohio Revised Code, or regulations issued thereunder.

Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

Director, Ohio EPA

DEC 22 2010

Date Issued

OHIO E.P.A.  
2010  
DEC 22 2009

**OhioEPA**

2010

ENTERED DIRECTOR'S **Solid Waste Facility License**  
**Municipal Solid Waste Transfer Facility**

License Expires December 31, 2010

**Facility:** Miami County Solid Waste & Recycling Facility \* (CID:30867)  
2200 N Co Rd 25 A  
Troy, OH 45373

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

**Licensing Authority: Ohio EPA - TFL**

**Conditions of Licensure**

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734., 3767., 6111., and 3704.
2. All applicable requirements of Ohio Administrative Code Chapters 3745-27, 3745-28, 3745-29, 3745-30, 3745-31, and 3745-37.
3. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
4. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
5. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07.

The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734., 3767., 6111., or 3704. of the Ohio Revised Code, or regulations issued thereunder.

Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

*Chris Kales*

Director, Ohio EPA

DEC 22 2009

Date Issued

2009

OhioEPA

OHIO E.P.A.  
2009  
DEC 23 2009

**Solid Waste Facility License  
Municipal Solid Waste Transfer Facility**

License Expires December 31, 2009

**Facility:** Miami County Solid Waste & Recycling Facility \* (CID:30867)  
2200 N Co Rd 25 A  
Troy, OH 45373

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

**Licensing Authority: Ohio EPA - TFL**

**Conditions of Licensure**

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734., 3767., 6111., and 3704.
2. All applicable requirements of Ohio Administrative Code Chapters 3745-27, 3745-28, 3745-29, 3745-30, 3745-31, and 3745-37.
3. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
4. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
5. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07.

The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734., 3767., 6111., or 3704. of the Ohio Revised Code, or regulations issued thereunder.

Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

*Chris Kordala*

Director, Ohio EPA

DEC 23 2008

Date Issued

2008



2008

**Solid Waste Facility License**  
**Municipal Solid Waste Transfer Facility**

License Expires December 31, 2008

OHIO E.P.A.  
DEC 26 2007  
ENTERED DIRECTOR'S JOURNAL

**Facility:** Miami County Solid Waste & Recycling Facility \* (CID:30867)  
2200 N Co Rd 25 A  
Troy, OH 45373

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the Board of Health and the Director of the Ohio Environmental Protection Agency.

**Licensing Authority: Ohio EPA - TFL**

**Conditions of Licensure**

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734., 3767., 6111., and 3704.
2. All applicable requirements of Ohio Administrative Code Chapters 3745-27, 3745-28, 3745-29, 3745-30, 3745-31, and 3745-37.
3. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
4. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
5. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07.

The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734., 3767., 6111., or 3704. of the Ohio Revised Code, or regulations issued thereunder.

Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

Director, Ohio EPA

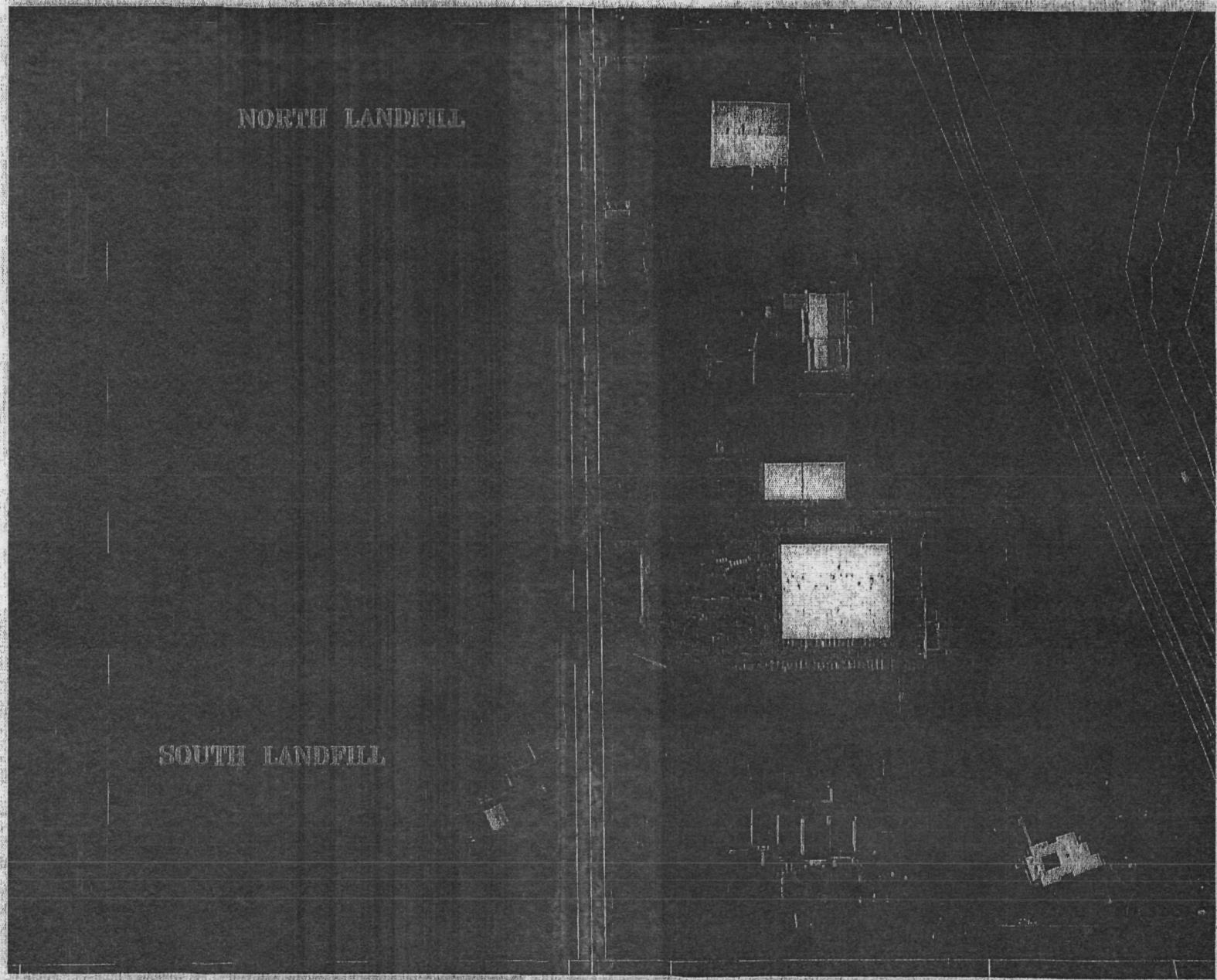
DEC 26 2007

Date Issued



NORTH LANDFILL

SOUTH LANDFILL



# Know all Men by these Presents

That, Whereas, the City of Piqua, Ohio is the owner in fee simple in the real estate hereinafter described; and,

Whereas, on the 20th day of February, 1967, the Commission of the City of Piqua, State of Ohio by the vote of a majority of its members passed Ordinance No. 12-62 authorizing and directing the City Purchasing Agent to sell and convey the premises hereinafter described.

Now, Therefore, pursuant to the premises, said City of Piqua, a municipal corporation of the State of Ohio, by Robert M. Hance, Jr. its Purchasing Agent, for the consideration of \$ paid by Miami County, Ohio, the Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto Miami County, Ohio, its successors and assigns, the following described real estate, to-wit:

Situated in the County of Miami in the State of Ohio and in the Township of Concord and bounded and described as follows:

Part of Sec. 9, T. 5, R. 6, East, commencing with the intersection of the center of the Speagh Road with the East line of the Piqua and Troy Branch Railroad and 30 ft. east of center line of said railroad; thence N. 89° 30' E. 3.89 chains to a spike in center of the Dayton & Troy Traction line; thence S. 32° 20' E. 7.74 chs. to east rail of Dayton & Troy tracks; thence S. 23° 25' E. 32.91 chains with the east rail of the Dayton & Troy Company's tracks; thence S. 89° 15' W. with center of Beedle Ditch 20.38 chs. to an iron spike on the east line of Piqua & Troy Branch Railroad; thence N. 1° 25' W. 35.97 chs. with the east line of railroad to the place of beginning, containing 46.80 acres.

ALSO - Part of Sec. 8, Town 5, Range 6, E.; Commencing on south line of said Section 8, at a point 30 ft. west of center line of Piqua & Troy Branch Railroad; thence N. 1° 25' W. with west line of railroad 31.61 chs. to an iron pipe; thence S. 89° 30' W. 15.61 chs. to an iron pipe on Speagh's E. line; thence S. 45° E. 29.77 chs. with Speagh's E. line to an iron pipe on West bank of hydrolic; thence S. 0° 15' W. 2 chs. to a stone at Speagh's S.E. corner and on S. line of Section 8; thence E. with South line of Sec. 8, 15.62 chs. to place of beginning, containing 49.90 acres.

ALSO - Part of Sec. 9, T. 5, R. 6, E.; Commencing on S. line of Sec. 9 at a point 30 ft. E. of center line of Piqua & Troy Branch Railroad; thence N. 1° 25' W. 9.09 chs. with east line of railroad to an iron pin; thence N. 89° 15' E. 20.38 chs. with center of Beedle ditch to E. Rail of Dayton & Troy Traction Company; thence S. 21° 45' E. 9.57 chs. to a stake on S. line of Sec. 9 and W. bank of Miami & Erie Canal; thence W. with section line 25.73 chs. to place of beginning, containing 19.90 acres.

All of said tracts are subject to such legal highways as have been dedicated to public use, and also subject to Easement for Highway purposes as recorded in Vol. 197, Page 429, Deed Records of Miami County, Ohio.



EXCEPTING the following: Being a part of Section 9, T. 5, R. 6, beginning at a point in the center of Speagh Pike and 30 ft. E. of center of B & O Branch R.R.; running thence N. 89° 30' E., to a point where the center line of said pike intersects the center line of D & T Traction line; thence S. 32° 20' E. 7.74 chs. to a point on east rail of said traction line; thence with east rail of said traction line S. 23° 25' E. 1.44 chs; thence S. 89° 30' W. parallel with N. line of this tract 8.44 chs. to a point 30 ft. E. of center line of B & O Branch R.R.; thence parallel with said R.R. N. 19° 20' W. 7.97 chs. to place of beginning, containing 5 acres.

ALSO EXCEPTING the following: One (1) acre from the N.W. 1/4 of the S.W. 1/4 of Sec. 9, T. 5, R. 6, E., and lying just south of and adjoining the 5 acres in said Section, Town and Range owned by J.W. Minton, together with appurtenances thereunto belonging and subject to all legal highways, described as follows:

Commencing at a stone on the east line of P. & T. Branch R.R.; and 7.94° South of the center of Speagh Road; thence N. 89-1/2° E. parallel with Speagh Road 8.48 chains to an iron pin; thence S. 21-3/4° E. 1.29 chs.; thence S. 89-1/2° W. 8.42 chs. to stake on East line of railroad; thence N. with east line of railroad 1.15 chains to place of beginning, containing one (1) acre of land.

ALSO EXCEPTING: A piece of land situated in the S.W. Quarter of Fractional Section No. 9, Town 5, Range 6, between Road No. 25 and Piqua and Troy Branch Railroad, described as follows:

Beginning at an iron pin and large post on East right of way line of Piqua and Troy Branch R.R. said post being 30 feet east of center of track and 581.6 feet S. 1° W. of the north face of South abutment on overhead bridge over Alden Road; thence S. 1° W. with East right of way line of the P & T Branch R.R. 352 feet to an iron pin 3 feet south of a large post; thence N. 89° E. 719.4 feet to center of Troy and Piqua Road No. 25 witness an iron pin and large post on West property line of road; thence North 21° W. with center of road No. 25; 596 feet witness a large post and iron pin on West property line of road; said point being 794 feet south of center of Alden Road; thence S. 87° W. with John Urick's present South line 561 feet to a post and iron pin on East right of way line of R.R. at place of beginning, tract containing 5.17 acres.

Deed Reference: Book 426, page 94 of the Deed Records of Miami County, Ohio.

To Have and to hold the same with all rights, easements and appurtenances thereunto belonging unto the said Grantee, its successors and assigns, but subject to all legal highways and zoning restrictions, and taxes and assessments due and payable in June, 1967 and thereafter.

IN WITNESS WHEREOF, the City of Piqua, Ohio, by its City Purchasing Agent has caused to be signed and its corporate seal to be affixed to these presents this 27 day of February, 1967.

In presence of:

Robert A. Minton

Tracy B. Long

THE CITY OF PIQUA, OHIO

BY Robert M. Harcey  
CITY PURCHASING AGENT

STATE OF OHIO, MIAMI COUNTY, ss:

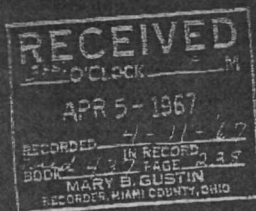
On this 21 day of February, 1967, before me, a notary public in and for said county, personally appeared Robert M. Hance, Jr., Purchasing Agent of the City of Piqua, State of Ohio, who acknowledged the execution of the foregoing instrument to be his voluntary act and deed and the corporate act and deed of said City of Piqua.

In Testimony Whereof, I have hereunto subscribed my name the day and year last above written.

*Helen M. McKale*  
Notary Public

HELEN M. MCKALE, Notary Public  
In and for Miami County, Ohio  
My Commission Expires April 23, 1968

This instrument prepared by: R.E. Wilson, Attorney at Law, Piqua, O.





Customer: This service area is provided for your internal use and convenience. Service must be marked on airbill.

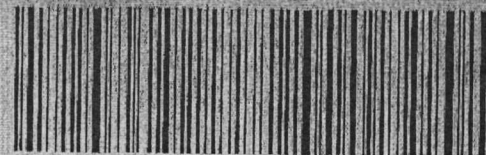
FedEx Service

FedEx  
0200 8728 5606 1306

THU - 29 NOV A1  
PRIORITY OVERNIGHT

XH CHIA

60604  
IL-US  
ORD



Orig 037000 20NOV12 DAYA 518C3/LE38/6763

FedEx Express

8728 5606 1306

0200

FedEx Retrieval Copy

1. From  
Date 11/28/12  
Sender Beverly Mumford  
Address 999 440-3910  
City MIAMI COUNTY COMMISSIONERS  
TROY OH 45373

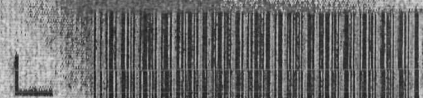
2. Your Internal Billing Reference

3. To  
Recipient's Name Masha A. Adams  
Phone 312 353-9484

Company U.S. EPA Region 5-Superfund Division  
Department Compliance Assurance Pr.

Address 74 W Jackson Blvd (SE-5J)  
City Chicago IL 60604

Comments 16 zip 60604-3590



8728 5606 1306

4. Express Package Service  
01 ☒ Express Overnight  
02 ☐ Priority Overnight  
03 ☐ Standard Overnight  
04 ☐ 2nd Day Air  
05 ☐ 3rd Day Air  
06 ☐ International Overnight

5. Express Freight Service  
20 ☐ FedEx Day Freight  
30 ☐ FedEx 2nd Day Freight  
40 ☐ FedEx 3rd Day Freight  
50 ☐ FedEx 4th Day Freight  
60 ☐ FedEx 5th Day Freight

6. Packaging  
06 ☐ FedEx Envelope  
02 ☐ FedEx Pak  
03 ☐ FedEx Box  
04 ☐ FedEx Tube  
01 ☒ Other

7. Special Handling and Delivery Signature Options  
03 ☐ SATURDAY DELIVERY

10 ☐ Direct Signature  
24 ☐ Signature Required

Does this shipment contain dangerous goods?  
01 ☐ No  
02 ☐ Yes

8. Payment (bill to)  
01 ☒ Bill to Shipper  
02 ☐ Bill to Receiver  
03 ☐ Third Party  
04 ☐ Credit Card  
05 ☐ Cash on Delivery

9. Insurance  
01 ☐ No  
02 ☐ Yes

10. Signature Required  
01 ☐ No  
02 ☐ Yes

11. Remarks  
01 ☐ No  
02 ☐ Yes

606